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By

Lynda S. Kalemba

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR : Zhao et al.
TITLE : **TONER PROCESSES**
APPLICATION NO. : 09/514,699
FILED : February 28, 2000
CONFIRMATION NO. : 8912
EXAMINER : Janis L. Dote
ART UNIT : 1756
ALLOWED : August 11, 2004
ATTORNEY DOCKET NO. : 98621-US-NP
XERZ 2 00707

**RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE
INCLUDING RESPONSE TO INTERVIEW SUMMARY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

The specification modifications discussed in the Interview are set forth in the Examiner's Amendment. The principal proposed amendments are also set forth in the Examiner's amendment.

Furthermore, Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance are only warranted in instances in which "The record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2001)). In the present case, applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

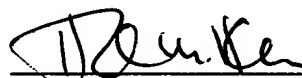
Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

Therefore, while applicant believes the claims are allowable, applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

August 20, 2004
Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

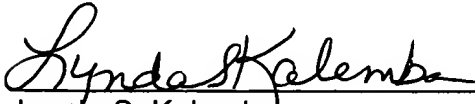
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